

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

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|-------------------------|---|-----------------------------|
| ROBERT McCURRY, et al., |) | CASE NO. 8:08CV448 |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | NOTICE OF ACCEPTANCE |
| |) | OF OFFER OF JUDGMENT |
| JERALD SWANSON, et al. |) | |
| |) | |
| Defendants. |) | |

TAKE NOTICE that Defendant City of Omaha did, in accordance with FRCvP 68, serve the attached Offer of Judgment upon Plaintiff by consensual email to Michael Kratville, attorney for the Plaintiffs, on the 20th day of December, 2011.

WITHIN the time period limited by FRCvP 68 Plaintiffs served the Defendant City of Omaha with the attached written notice accepting the Offer of Judgment unconditionally, in its entirety, and by its terms.

IN ACCORDANCE with FRCvP 68 the Clerk shall enter judgment on the terms of the offer, including dismissal of all individual defendants in this action both in their official and individual capacity.

Dated this 20th day of December, 2011.

THE CITY OF OMAHA, Defendant

By s/Thomas O. Mumgaard
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PROOF OF SERVICE

The undersigned hereby certifies that on the 20th day of December, 2011, I electronically filed the foregoing **NOTICE OF ACCEPTANCE OF OFFER OF JUDGMENT** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record registered with the court.

s/Thomas O. Mumgaard